

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

AEVOE CORP.,

Plaintiff(s),

vs.

AE TECH. CO., et al.,

Defendant(s).

Case No. 2:12-cv-00053-GMN-NJK

ORDER GRANTING MOTIONS
TO SEAL

(Docket Nos. 310, 322)

Pending before the Court is Defendant AE Tech's motion to seal. Docket No. 310. That motion seeks to file under seal Exhibit A to Defendants' response to Plaintiff's motion for an order to show cause (Docket No. 311). *See id.* at 2. Also pending before the Court is Plaintiff's motion to seal. Docket No. 322. That motion seeks to file under seal Plaintiff's reply brief in support of the motion for order to show cause (Docket No. 323). For the reasons discussed more fully below, the Court finds good cause supports the motions to seal and they are hereby **GRANTED**.

The Ninth Circuit has held that there is a presumption of public access to judicial files and records and that parties seeking to maintain the confidentiality of documents attached to non-dispositive motions must make a particularized showing of "good cause" to overcome the presumption of public access. *See Kamakana v. City and County of Honolulu*, 447 F.3d 1172, 1180 (9th Cir. 2006); *see also Aevoe Corp. v. AE Tech. Co.*, 2013 WL 2302310, *1 (D. Nev. May 24, 2013). To the extent any confidential information can be easily redacted while leaving meaningful information available to the public, the Court must order that redacted versions be filed rather than sealing entire documents. *Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1137 (9th Cir. 2003); *see also Vaccine Ctr. LLC v. GlaxoSmithKline LLC*, 2013 U.S. Dist. Lexis 68298, *9-10 (D. Nev. May 14, 2013) (discussing redaction requirement).

1 Both motions seek to file documents under seal that relate to the same information, namely
2 the declaration of Tom Hseih, in which he provides detailed financial information for AE Tech for
3 2012 and 2013. *See* Docket No. 310 at 2; *see also* Docket No. 322 at 2. The Hseih declaration
4 contains performance data. Docket No. 310 at 3. Defendants further assert that public release of
5 this information will have an immediate and adverse impact on Defendants' ability to conduct
6 business and negotiate the terms of future sales. *Id.* The Court finds that good cause exists to seal
7 this information that overcomes the presumption of public access.

8 For good cause shown, the motions to seal are hereby **GRANTED**. The exhibit at Docket
9 No. 311 shall remain under seal and the unredacted reply brief at Docket No. 323 shall also remain
10 under seal.

11 IT IS SO ORDERED.

12 DATED: October 18, 2013

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15 NANCY J. KOPPE
16 United States Magistrate Judge
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